

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,      )  
                                      )  
Plaintiff,                        )  
                                      )  
vs.                                )      Case No. 4:10 CR 239 RWS  
                                      )  
MARCO ANTONIO RIVERA-        )  
APODACA,                        )  
RAMON VAZQUEZ-RODRIGUEZ,    )  
FRANCISCO VARELA, and        )  
JOHN WARREN SONES,            )  
                                      )  
Defendant.                      )

**ORDER**

This matter is before the Court on motion of defendant Marco Antonio Rivera-Apodaca to suppress evidence [#99].

Pursuant to 28 U.S.C. § 636(b), the pretrial motions in this matter were referred to United States Magistrate Judge David D. Noce. The government filed a response in opposition to the motion of the defendant. Judge Noce held an evidentiary hearing on July 15, 2010. Thereafter Judge Noce filed his Report and Recommendations regarding the defendant's motion on August 20, 2010. No objection to the Magistrate Judge's recommendations were filed.

After fully considering the motions and the Report and Recommendation, the Court will adopt and sustain the thorough reasoning of Judge Noce set forth in

support of his recommended rulings.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge [#127] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

**IT IS FURTHER ORDERED** that the motion of defendant Marco Antonio Rivera-Apodaca to suppress evidence [#99] is **DENIED**.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 1st day of December, 2010.